

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b)) RM-8731
Table of Allotments,)
FM Broadcast Stations)
(Chester and Richmond, Virginia))

DOCKET FILE COPY ORIGINAL

COMMENTS OF HOFFMAN COMMUNICATIONS, INC.

DOW, LOHNES & ALBERTSON
A Professional Limited Liability Company
1200 New Hampshire Ave., N.W.
Suite 800
Washington, D.C. 20036
(202) 776-2000

John R. Feore, Jr.
Andrew C. Fish*

April 29, 1996

* Admitted in Virginia only

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In the Matter of)
)
Amendment of Section 73.202(b)) RM-8731
Table of Allotments,)
FM Broadcast Stations)
(Chester and Richmond, Virginia))

2. Hoffman's Petition for Rulemaking in the above proceeding requested the substitutions of Channel 266A for Channel 289A at Chester, Virginia, and Channel 289A for Channel 266A at Richmond, Virginia. This frequency exchange constitutes

a non-compatible channel swap, since there are no other Class A frequencies which can be used at either Chester or Richmond.

3. At the time Hoffman filed its Petition for Rulemaking, multiple applications were on file for Channel 266A at Richmond, Virginia. In the interim the Commission granted the application of Barbara B. Benns ("Benns").

4. Hoffman hereby renews its request that the Commission grant its Petition to exchange Channel 289A at Chester, Virginia with Channel 266A at Richmond, Virginia.

5. The proposed channel substitutions are in the public interest because they would enable Station WDYL and Benns to upgrade to fully-spaced maximum Class A facilities from their current short-spaced three kw Class A facilities and to serve an increased number of people. See Exhibit 1, at ¶¶ 2-4.^{1/}

6. Hoffman has owned and operated WDYL since 1968, airing a religious programming format. WDYL is the only FM station licensed to Chester and therefore has strong ties to the community. WDYL is committed to improving service to Chester and surrounding communities. Substitution of Channel 266A for Channel 289A would permit Hoffman to achieve fully-spaced, six kw Class A operations and serve an additional 105,833 persons.

^{1/} Exhibit 1 is the engineering exhibit originally submitted with the Petition for Rulemaking. A supplemental engineering statement has been supplied as Exhibit 2, which summarizes changes in the status and projected service population of Channel 266A at Richmond, Virginia.

**THE PROPOSED CHANNEL SUBSTITUTIONS
ARE IN THE PUBLIC INTEREST**

7. Hoffman submits that the benefits of service to additional persons by both Station WDYL and Benns clearly demonstrate that the proposed channel substitutions will serve the public interest. Hoffman's outstanding construction permit to operate WDYL on Channel 289A authorizes three kw ERP with a non-directional antenna system. The substitution of Channel 266A for Channel 289A at Chester, Virginia will allow WDYL to operate nondirectionally with six kilowatts of power and provide service to 662,958 persons in 2507.1 square kilometers. This represents an increase of 105,833 persons over the service Hoffman could provide under its modified construction permit for Channel 289A. See Exhibit 1, at ¶ 6.

8. Channel 266A in Richmond is precluded from six kw operation due to shortspacing with co-channel station WWDC, Washington, D.C. Based on the engineering specified in the Benns application for a construction permit, Channel 266A will operate at two kw ERP, serving 648,317 persons in 1,834 square kilometers. See Exhibit 2, at ¶¶ 2 and 3.

9. The allotment of Channel 289A as a substitute for Channel 266A at Richmond, however, would allow Channel 266A to operate at six kw ERP, and serve a total of 686,099 persons in 2,505.2 square kilometers. This is an increase of 37,782 persons in 671.2 square kilometers over the authorized Class A facility.

See Exhibit 2, at ¶ 3. Therefore, the channel substitutions Hoffman has requested would result in a total increase of 143,615 person served.

CONCLUSION

The substitutions of Channel 266A for 289A at Chester and of Channel 289A for Channel 266A at Richmond clearly serve the public interest. They will allow both WDYL and the successful Richmond applicant to operate with fully-spaced, maximum Class A FM facilities, and to serve in each case a substantially greater number of people than could be served with currently proposed operations. Hoffman, therefore, respectfully renews its request that the Commission amend the FM Table of Allotments to accomplish the channel substitutions specified in Hoffman's Petition for Rulemaking.

Respectfully submitted,

HOFFMAN COMMUNICATIONS, INC.

By: 

John R. Feore, Jr.

Andrew C. Fish*

Its Attorneys

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April 29, 1996

* Admitted in Virginia only

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing **Comments** was served via first-class mail, postage prepaid, this 29th day of April, 1996, on each of the following parties:

John A. Karousos*
Federal Communications Commission
Allocations Branch
Mass Media Bureau
2025 M Street, N.W.
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Washington, D.C. 20554

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Andrew C. Fish

* By hand delivery

RM-8731
Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
(Chester and Richmond, Virginia)
April 29, 1996

COMMENTS OF HOFFMAN COMMUNICATIONS, INC.

Exhibit 1

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

PETITION FOR RULEMAKING
HOFFMAN COMMUNICATIONS, INC.
SUBSTITUTE CH 246A FOR CH 289A
CHESTER, VIRGINIA
November 1995

TECHNICAL EXHIBIT

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PETITION FOR RULEMAKING
HOFFMAN COMMUNICATIONS, INC.
SUBSTITUTE CH 266A FOR CH 289A
CHESTER, VIRGINIA
November 1995

TECHNICAL STATEMENT

1. This Technical Statement and attached exhibits were prepared on behalf of Hoffman Communications, Inc. ("Hoffman"), licensee of radio station WDYL, Channel 221A, Chester, Virginia. Hoffman also holds an outstanding construction permit to change the frequency of WDYL from Channel 221A to Channel 289A at Chester, Virginia (BMPH-930625IF).¹ Hoffman herein requests the substitution of Channel 266A for Channel 289A at Chester, Virginia, and requests that WDYL be ordered to change channels. In order to accommodate this request, Hoffman further asks the Commission to substitute Channel 289A for Channel 266A at Richmond, Virginia.² This represents a non-compatible frequency swap and results in a de facto upgrade for all parties.

PROPOSAL

2. The allotment of Channel 266A to Chester is mutually exclusive with the current Channel 266A allocation at Richmond, Virginia. Hoffman effectively proposes to exchange frequencies with Richmond. In doing so, WDYL may operate a maximum 6.0 kilowatt 100 meter height above average terrain facility (non-directional) at the existing WDYL transmitter

- 1) WDYL was ordered from Channel 226A to Channel 289A per MM Docket #93-310. Previously the station had been ordered from Channel 221A to Channel 226A in MM Docket #90-67. WDYL is presently operating under Special Temporary Authority on Channel 289A.
- 2) Presently Channel 266A is vacant at Richmond, Virginia, with five applications pending for the Class A frequency. As demonstrated in this petition, Channel 289A can be allotted to Richmond and utilized at all five of the application sites for Channel 266A.

site.³ In addition to allowing WDYL to be a fully spaced maximum Class A facility, exchanging channels with the Richmond applicants will enable all five pending applicants to operate the Richmond facility as a 6.0 kilowatt or equivalent facility. At present Channel 266A in Richmond is a 3.0 kilowatt Class A facility precluded from 6.0 kilowatts at any of the application sites due to a shortspace with co-channel station WWDC, Washington, DC, created as a result of the change in spacing requirements in Docket #88-375.

3. Therefore, Hoffman requests Channel 266A be allotted to Chester, Virginia, in substitution for Channel 289A at reference coordinates: North Latitude 37° 22' 58" and West Longitude 77° 25' 41". While it is not necessary to impose a site restriction from the community, the coordinates specified are those of the current WDYL authorized transmitter site. Exhibit #1 is a usable area map for Channel 266A at Chester, Virginia, and visually demonstrates where a transmitter site would be located to be adequately spaced to all other Commission authorized facilities. Exhibit #2 is a §73.207 spacing study from the reference site which indicates Channel 266A at Chester complies with the Commission's minimum distance separation requirements. Both Exhibit #1 and #2 assume all of the applicants for Channel 266A at Richmond have been ordered to change to Channel 289A.

4. Channel 289A can be substituted for Channel 266A at Richmond, Virginia, at reference coordinates: North Latitude 37° 33' 13" and West Longitude 77° 27' 38". This is the site currently listed in the Commission's database for the allocation at Richmond, Virginia. Exhibit #3 is a usable area map visually demonstrating where a transmitter site for Channel 289A

3) The current WDYL licensed facility is 3.0 kilowatts at 100 meters height above average terrain. The outstanding construction permit for the facility authorizes 6.0 kilowatts at 99 meters height above average terrain with a directional antenna system under §73.215 rules to limit radiation toward co-channel station WRSF, Channel 289C1, Columbia, North Carolina. Hoffman has, however, filed a modification of construction permit to operate WDYL non-directionally at 3.5 kilowatt and 98 meters HAAT (File #95102SID).

can be located to provide service to Richmond, Virginia. Exhibit #4 is a §73.207 spacing study from the allocation coordinates demonstrating Channel 289A at Richmond is clear of all other licensed, applied for or proposed facilities. Both Exhibit #3 and #4 assume WDYL is operating on Channel 266A in lieu of Channel 289A. Further, Exhibits #5, #6, #7 and #8 demonstrate that Channel 289A can be utilized at all four sites specified in the five applications for Channel 266A at Richmond, Virginia.⁴

5. Therefore, Hoffman respectfully requests the Commission amend §73.202(b) of its rules as follows:

Chester, Virginia

| <u>Present</u> | <u>Proposed</u> |
|----------------|-----------------|
| 289A | 266A |

Richmond, Virginia

| <u>Present</u> | <u>Proposed</u> |
|--------------------------------------|---------------------------------------|
| 233B, 251B, 266A 271B, 279B, 293B | 233B, 251B, 271B, 279B, 289A, 293B |

PUBLIC INTEREST ASPECTS

6. The allocation of Channel 266A in substitution for Channel 289A at Chester, Virginia, will enable station WDYL to be a fully-spaced maximum Class A facility at Chester and provide 1.0 mV/m service to 662, 958 persons in 2,507.1 square kilometers. This represents an increase

4) The Weyburn Broadcasting Limited Partnership and James River Communications Company proposed the same site for Channel 266A at Richmond.

of 105,833 persons in 636.3 square kilometers over its proposed modified construction permit (File #951025ID) on Channel 289A. In addition, the substitution of Channel 289A for Channel 266A at Richmond, Virginia, will remove a 3.0 kilowatt limited Class A facility from Richmond in favor of a fully-spaced 6.0 kilowatt 100 meter height above average terrain facility. Channel 289A can be utilized at any of the five pending application sites currently specifying Channel 266A at Richmond. The exchange would result in an overall improvement to the proposed facilities in Richmond. A maximum Class A facility on Channel 289A at Richmond from the allocation reference site will provide service to 674,106 persons in 2,495.3 square kilometers. This represents an increase of 38,992 persons in 671.1 square kilometers over the present 3.0 kilowatt allotment. Similar increases from each of the applicants' sites in Richmond can be expected.

7. Hoffman, therefore, requests the Commission make the above referenced substitution of channels at Chester and Richmond, Virginia; order WDYL to specify operation on Channel 266A at Chester; and order all five applicants at Richmond to amend their pending applications to specify Channel 289A in lieu of Channel 266A. Once Channel 266A is allotted to Chester, Virginia, Hoffman will file an application, FCC Form 301, on timely basis to specify operation on Channel 266A.⁵

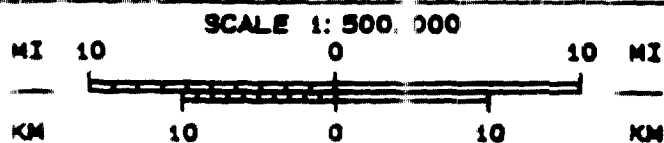
8. The foregoing Technical Statement and attached exhibits were prepared on behalf of Hoffman Communications, Inc., by Graham Brock, Inc., its Technical Consultants. All information contained herein is true and accurate to the best of our belief and knowledge. All

5) Since the substitution of channels at Richmond is not for an operational or authorized facility, Hoffman does not pledge reimbursement to any of the five applicants as no actual channel displacement will occur at Richmond. All applications for Channel 266A at Richmond are pending before the Commission.

information relating to FM allocations and facilities was extracted from the NTIA database as updated on September 29, 1995. We assume no liability for errors or omissions in that database which may be adverse to the requests contained herein. All population information was extracted from the 1990 Census, PL94-171 computer files.



MAP ASSUMES APPLICANTS FOR CHANNEL 268A
AT RICHMOND, VA ON CHANNEL 268A.



BROADCAST TECHNICAL CONSULTANTS

**ALLOCATION STUDY FOR CHANNEL 266A CHESTER, VIRGINIA
USING PROPOSED ALLOCATION SITE/WDYL SITE AS REFERENCE**

REFERENCE
37 22 58 N
77 25 41 W

CLASS A
Current rules spacings
CHANNEL 266 -101.1 MHz

DISPLAY DATES
DATA 09-29-95
SEARCH 10-19-95

| CALL TYPE | CH# LAT | CITY LNG | STATE PWR | SEAR' HT | D-KM D-Mi | R-KM R-Mi | MARGIN (KM) |
|--|------------------|------------------------|------------------|---------------|-----------------|----------------|----------------|
| AD266 AD | 266A 37 22 58 | Chester 77 25 41 | VA 0.000 kw | 0.0 OM | 0.00 0.0 | 115.0 71.5 | -115.00 |
| Petition for Rule Making - Hoffman Communications, Inc. | | | | | | | |
| * AP266 APD CN | 266A 37 30 02 | Richmond 77 30 09 | VA 3.000 kw | 333.4 100M | 14.64 9.1 | 115.0 71.5 | -100.36 |
| WKIE-FM, Inc. BPH-8512160A 861020 | | | | | | | |
| * AP266 APD CN | 266A 37 30 11 | Richmond 77 30 08 | VA 3.000 kw | 333.9 100M | 14.88 9.3 | 115.0 71.5 | -100.12 |
| Barbara B. Senns BPH-8512160N 861020 | | | | | | | |
| * AP266 APD CN | 266A 37 30 23 | Richmond 77 30 15 | VA 3.000 kw | 334.0 99M | 15.28 9.5 | 115.0 71.5 | -99.72 |
| Future Broadcast Limited Partnership BPH-8512160V 861020 | | | | | | | |
| * AP266 APG CN | 266A 37 30 52 | Richmond 77 30 28 | VA 2.000 kw | 334.4 123M | 16.23 10.1 | 115.0 71.5 | -98.77 |
| James River Communications Co. BPH-8512160O 861020 | | | | | | | |
| * AP266 APD CN | 266A 37 30 52 | Richmond 77 30 28 | VA 1.900 kw | 334.4 126M | 16.23 10.1 | 115.0 71.5 | -98.77 |
| Weyburn Broadcasting Ltd Partnership BPH-851213MN 861020 | | | | | | | |
| * ALOPEN AL N | 266A 37 33 13 | Richmond 77 27 38 | VA 0.000 kw | 351.4 OM | 19.18 11.9 | 115.0 71.5 | -95.82 |
| NM Docket 84-231 Window Open 11/15/85 Closed 12/16/85 | | | | | | | |
| WWDGFM LI CN | 266B 38 59 59 | Washington 77 03 27 | DC 22.500 kw | 10.1 232M | 182.39 113.4 | 178.0 110.6 | 4.39 |
| Capitol Broadcasting Company BLN-850904KT | | | | | | | |
| WWDGFM LI CN | 267B 36 49 41 | Hampton 76 15 05 | VA 50.000 kw | 120.2 152M | 121.37 75.4 | 113.0 70.2 | 8.37 |
| Max Radio of Hampton, Inc. BLN-850327KR | | | | | | | |
| WLJK LI CN | 267A 37 19 23 | Farmville 78 23 23 | VA 6.000 kw | 265.8 100M | 85.46 53.1 | 72.0 44.8 | 13.46 |
| David W. Layne BLN-920731KD | | | | | | | |
| WNTFM LI CN | 265A 37 56 39 | Warsaw 76 45 05 | VA 3.000 kw | 43.5 99M | 86.30 53.6 | 72.0 44.8 | 14.30 |
| Northern Neck & Tidewater Bcd BLN-901123KB | | | | | | | |
| WPCM LI DCN | 266C 35 56 31 | Burlington 79 26 33 | NC 100.000 kw | 228.9 363M | 240.83 149.7 | 226.0 140.5 | 14.83 |
| Carolina Radio Group, Inc. BLN-870515KA | | | | | | | |

ALLOCATION STUDY CHANNEL 266A

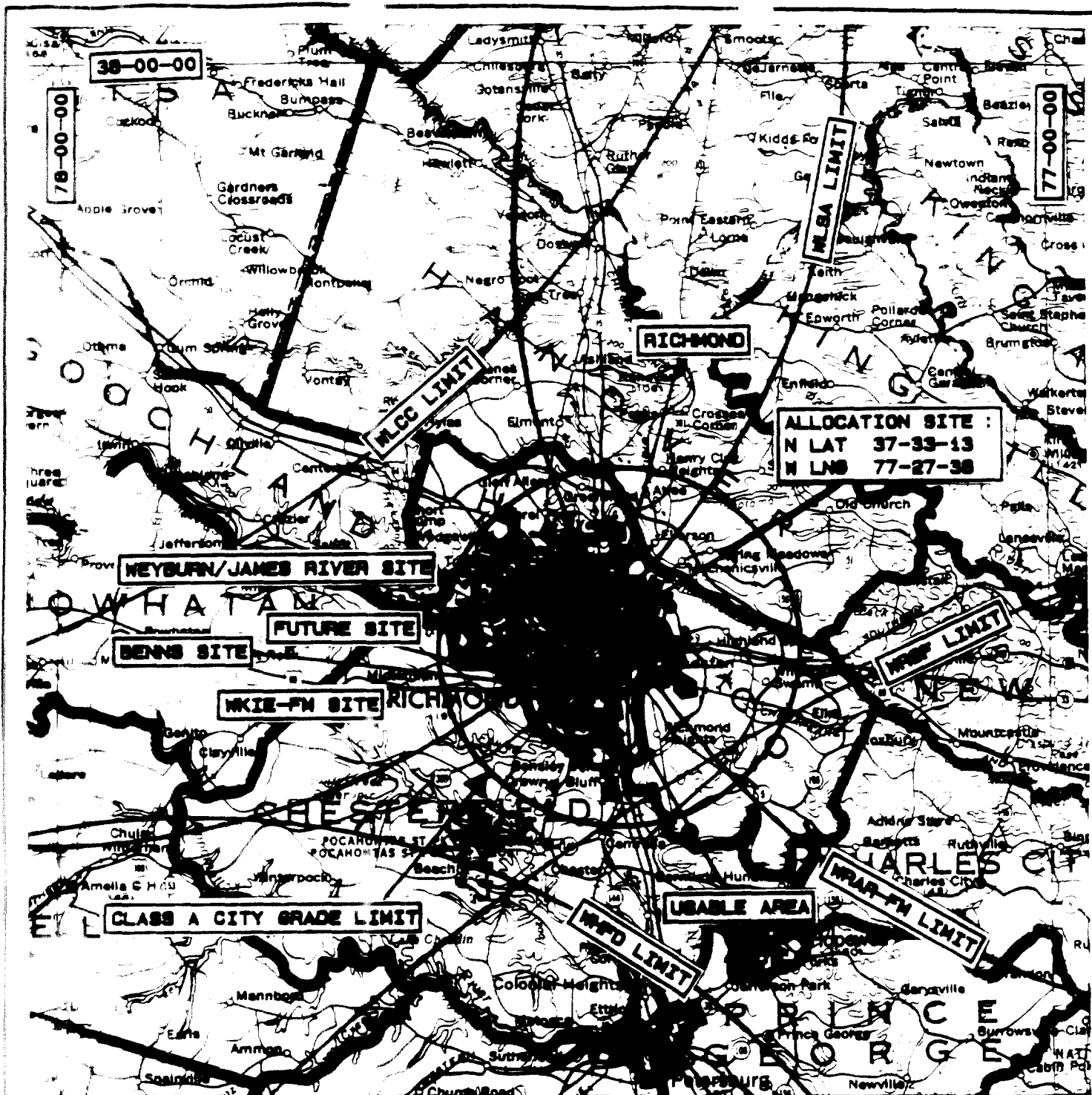
* NOTE : THE APPLICANTS FOR CHANNEL 266A
AT RICHMOND, VIRGINIA TO AMEND
TO CHANNEL 266A.

EXHIBIT #2

**PETITION FOR RULE MAKING
HOFFMAN COMM., INC.
SUBSTITUTE CHANNEL 266A
FOR CHANNEL 266A
CHESTER, VIRGINIA
October 1985**

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS



USABLE AREA CHANNEL 289A

MAP IS A PORTION OF THE 1: 500, 000 SCALE
U.S.G.S. BASE MAP OF VIRGINIA.

MAP ASSUMES WDYL ON CHANNEL 288A AT
CHESTER, VIRGINIA.

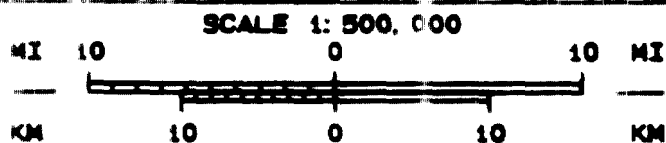


EXHIBIT #3

PETITION FOR RULE MAKING
HOFFMAN COMM., INC.
SUBSTITUTE CHANNEL 286A
FOR CHANNEL 289A
CHESTER, VIRGINIA

October 1986

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

**ALLOCATION STUDY FOR CHANNEL 289A RICHMOND, VIRGINIA
USING CH 266A ALLOCATION SITE AS REFERENCE**

| | | |
|------------------------------------|------------------------|-----------------|
| REFERENCE | CLASS A | DISPLAY DATES |
| 37 33 13 N | | DATA 09-29-95 |
| 77 27 38 W | Current rules spacings | SEARCH 10-19-95 |
| ----- CHANNEL 289 -105.7 MHz ----- | | |

| CALL TYPE | CH# LAT | CITY LNG | STATE PWR | BEAR' HT | D-KM D-Mi | R-KM R-Mi | MARGIN (KM) |
|---|-------------------|---------------------------|------------------|---------------|-----------------|----------------|----------------|
| AD289 AD | 289A 37 33 13 | Richmond 77 27 38 | VA 0.000 kW | 0.0 OM | 0.00 0.0 | 115.0 71.5 | -115.00 |
| Petition for Rule Making - Hoffman Communications, Inc. | | | | | | | |
| * WDYL.C CPM2CN | 289A 37 22 58 | Chester 77 25 41 | VA 6.000 kW | 171.4 99M | 19.18 11.9 | 115.0 71.5 | -95.82 |
| Hoffman Communications, Inc. BMLH-930625IF 951220 | | | | | | | |
| WLSA LI CN | 288A 38 01 37 | Louisa 78 01 05 | VA 3.300 kW | 317.2 91M | 71.91 44.7 | 72.0 44.8 | -0.09 |
| Mid-Virginia Broadcasting Corp. BMLH-891222KE | | | | | | | |
| WRAPM LI CN | 288A 37 52 27 | Tappahannock 76 43 37 | VA 6.000 kW | 60.9 100M | 73.82 45.9 | 72.0 44.8 | 1.82 |
| Tappahannock Communications, Inc. BLH-910812KA | | | | | | | |
| WRSP LI CN | 289C1 35 53 18 | Columbia 76 13 50 | NC 100.000 kW | 149.0 187M | 215.00 133.6 | 200.0 124.3 | 15.00 |
| Jones, Eastern of the Outer Banks BLH-840316AA | | | | | | | |
| WHFD LI CN | 288A 36 45 10 | Lawrenceville 77 51 49 | VA 6.000 kW | 202.0 47M | 95.82 59.5 | 72.0 44.8 | 23.82 |
| William Carlton Link BLH-910925KA | | | | | | | |
| WLCC LI ZCN | 289A 38 30 41 | Luray 78 29 15 | VA 0.440 kW | 320.1 329M | 139.39 86.6 | 115.0 71.5 | 24.39 |
| Commonwealth Audio Visual Ent. BMLH-910314KD | | | | | | | |

ALLOCATION STUDY CHANNEL 289A

* NOTE : WOYL TO BE RELOCATED TO CHANNEL 289A AT CHESTER, VIRGINIA.

NOTE : THE SPACING TO WLSA IS SHOWN AS -0.09. SINCE THIS DISTANCE IS LESS THAN 0.48 KILOMETERS, IT ROUNDS TO ZERO.

**EXHIBIT #4
PETITION FOR RULE MAKING
HOFFMAN COMM., INC.
SUBSTITUTE CHANNEL 266A
FOR CHANNEL 289A
CHESTER, VIRGINIA
October 1994**

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

**CLEARANCE STUDY FOR CHANNEL 289A RICHMOND, VIRGINIA
USING FUTURE BROADCAST LIMITED PARTNERSHIP SITE**

| | | | |
|------------|---|------------------------|-----------------|
| REFERENCE | - | CLASS A | DISPLAY DATES |
| 37 30 23 N | | Current rules spacings | DATA 09-29-95 |
| 77 30 15 W | | CHANNEL 289 -105.7 MHz | SEARCH 10-19-95 |

| CALL TYPE | CH# LAT | CITY LNG | STATE PWR | BEAR' HT | D-KM D-Mi | R-KM R-Mi | MARGIN (KM) |
|---|------------|---------------|--------------|-------------|--------------|--------------|----------------|
| AD289 | 289A | Richmond | VA | 36.2 | 6.51 | 115.0 | -108.49 |
| AD | 37 33 13 | 77 27 38 | 0.000 kW | OM | 4.1 | 71.5 | |
| Petition for Rule Making - Hoffman Communications, Inc. | | | | | | | |
| WLSA | 288A | Louisa | VA | 322.2 | 73.41 | 72.0 | 1.41 |
| LI CN | 38 01 37 | 78 01 05 | 3.300 kW | 91M | 45.6 | 44.8 | |
| Mid-Virginia Broadcasting Corp. BMLH-891222KE | | | | | | | |
| WRARFM | 288A | Tappahannock | VA | 58.9 | 79.79 | 72.0 | 7.79 |
| LI CN | 37 52 27 | 76 43 37 | 6.000 kW | 100M | 49.6 | 44.8 | |
| Rappahannock Communications, Inc. BLH-910812KA | | | | | | | |
| WRSF | 289C1 | Columbia | NC | 147.4 | 212.59 | 200.0 | 12.59 |
| LI CN | 35 53 18 | 76 13 50 | 100.000 kW | 187M | 132.1 | 124.3 | |
| Jones, Eastern of the Outer Banks BLH-840316AA | | | | | | | |
| WHFD | 288A | Lawrenceville | VA | 200.9 | 89.53 | 72.0 | 17.53 |
| LI CN | 36 45 10 | 77 51 49 | 6.000 kW | 47M | 55.6 | 44.8 | |
| William Carlton Link BLH-910925KA | | | | | | | |

CH 289A SPACING - FUTURE SITE

**EXHIBIT #5
PETITION FOR RULE MAKING
HOFFMAN COMM., INC.
SUBSTITUTE CHANNEL 289A
FOR CHANNEL 289A
CHESTER, VIRGINIA
October 1995**

GRAHAM BROCK, INC.
BROADCAST TECHNICAL CONSULTANTS

**CLEARANCE STUDY FOR CHANNEL 289A RICHMOND, VIRGINIA
USING BARBARA B. BENNS SITE AS REFERENCE**

| | | |
|------------------|------------------------|----------------------|
| REFERENCE | CLASS A | DISPLAY DATES |
| 37 30 11 N | Current rules spacings | DATA 09-29-95 |
| 77 30 08 W | CHANNEL 289 -105.7 MHz | SEARCH 10-19-95 |

| CALL TYPE | CH# LAT | CITY LNG | STATE PWR | BEAR' HT | D-KM D-Mi | R-KM R-Mi | MARGIN (KM) |
|---|------------|---------------|--------------|-------------|--------------|--------------|----------------|
| AD289 | 289A | Richmond | VA | 33.2 | 6.71 | 115.0 | -108.29 |
| AD | 37 33 13 | 77 27 38 | 0.000 kW | OM | 4.2 | 71.5 | |
| Petition for Rule Making - Hoffman Communications, Inc. | | | | | | | |
| WLSA | 288A | Louisa | VA | 322.3 | 73.80 | 72.0 | 1.80 |
| LI CN | 38 01 37 | 78 01 05 | 3.300 kW | 91M | 45.9 | 44.8 | |
| Mid-Virginia Broadcasting Corp. BMLH-891222KE | | | | | | | |
| WRARFM | 288A | Tappahannock | VA | 58.6 | 79.83 | 72.0 | 7.83 |
| LI CN | 37 52 27 | 76 43 37 | 6.000 kW | 100M | 49.6 | 44.8 | |
| Rappahannock Communications, Inc. BLH-910812KA | | | | | | | |
| WRSF | 289C1 | Columbia | NC | 147.3 | 212.18 | 200.0 | 12.18 |
| LI CN | 35 53 18 | 76 13 50 | 100.000 kW | 187M | 131.9 | 124.3 | |
| Jones, Eastern of the Outer Banks BLH-840316AA | | | | | | | |
| WHFD | 288A | Lawrenceville | VA | 201.1 | 89.24 | 72.0 | 17.24 |
| LI CN | 36 45 10 | 77 51 49 | 6.000 kW | 47M | 55.5 | 44.8 | |
| William Carlton Link BLH-910925KA | | | | | | | |

CH 289A SPACING - BENNS SITE

**EXHIBIT #6
PETITION FOR RULE MAKING
HOFFMAN COMM., INC.
SUBSTITUTE CHANNEL 288A
FOR CHANNEL 289A
CHESTER, VIRGINIA
October 1995**

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

**CLEARANCE STUDY FOR CHANNEL 289A RICHMOND, VIRGINIA
USING WEYBURN BCG. LTD/JAMES RIVER COMM. CO. SITE AS REFERENCE**

| | | |
|------------|------------------------|-----------------|
| REFERENCE | CLASS A | DISPLAY DATES |
| 37 30 52 N | Current rules spacings | DATA 09-29-95 |
| 77 30 28 W | CHANNEL 289 -105.7 MHz | SEARCH 10-19-95 |

| CALL TYPE | CH# LAT | CITY LNG | STATE PWR | BEAR' HT | D-KM D-Mi | R-KM R-Mi | MARGIN (KM) |
|---|------------|---------------|--------------|-------------|--------------|--------------|----------------|
| AD289 | 289A | Richmond | VA | 43.7 | 6.03 | 115.0 | -108.97 |
| AD | 37 33 13 | 77 27 38 | 0.000 kW | OM | 3.8 | 71.5 | |
| Petition for Rule Making - Hoffman Communications, Inc. | | | | | | | |
| WLSA | 288A | Louisa | VA | 322.0 | 72.50 | 72.0 | 0.50 |
| LI CN | 38 01 37 | 78 01 05 | 3.300 kW | 91M | 45.1 | 44.8 | |
| Mid-Virginia Broadcasting Corp. BMLH-891222KE | | | | | | | |
| WRARFM | 288A | Tappahannock | VA | 59.6 | 79.60 | 72.0 | 7.60 |
| LI CN | 37 52 27 | 76 43 37 | 6.000 kW | 100M | 49.5 | 44.8 | |
| Rappahannock Communications, Inc. BLH-910812KA | | | | | | | |
| WRST | 289C1 | Columbia | NC | 147.4 | 213.51 | 200.0 | 13.51 |
| LI CN | 35 53 18 | 76 13 50 | 100.000 kW | 187M | 132.7 | 124.3 | |
| Jones, Eastern of the Outer Banks BLH-840316AA | | | | | | | |
| WHFD | 288A | Lawrenceville | VA | 200.5 | 90.25 | 72.0 | 18.25 |
| LI CN | 36 45 10 | 77 51 49 | 6.000 kW | 47M | 56.1 | 44.8 | |
| William Carlton Link BLH-910925KA | | | | | | | |

CH 288A SPACING - WEYBURN/JRCC

**NOTE : THIS SITE IS PROPOSED IN BOTH THE
WEYBURN BCG. LTD PIVON AND JAMES
RIVER COMMUNICATIONS CO.
APPLICATIONS AT RICHMOND, VIRGINIA.**

EXHIBIT #7

**PETITION FOR RULE MAKING
HOFFMAN COMM., INC.
SUBSTITUTE CHANNEL 288A
FOR CHANNEL 289A
CHESTER, VIRGINIA
October 1995**

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

**CLEARANCE STUDY FOR CHANNEL 289A RICHMOND, VIRGINIA
USING WKIE-FM, INC. SITE AS REFERENCE**

| | | |
|------------------------------------|------------------------|----------------------|
| REFERENCE | CLASS A | DISPLAY DATES |
| 37 30 02 N | | DATA 09-29-95 |
| 77 30 09 W | Current rules spacings | SEARCH 10-19-95 |
| ----- CHANNEL 289 -105.7 MHz ----- | | |

| CALL TYPE | CH# LAT | CITY LNG | STATE PWR | BEAR/ HT | D-KM D-Mi | R-KM R-Mi | MARGIN (KM) |
|---|------------|---------------|--------------|-------------|--------------|--------------|----------------|
| AD289 | 289A | Richmond | VA | 32.1 | 6.96 | 115.0 | -108.04 |
| AD | 37 33 13 | 77 27 38 | 0.000 kW | OM | 4.3 | 71.5 | |
| Petition for Rule Making - Hoffman Communications, Inc. | | | | | | | |
| WLSA | 288A | Louisa | VA | 322.4 | 74.01 | 72.0 | 2.01 |
| LI CN | 38 01 37 | 78 01 05 | 3.300 kW | 91M | 46.0 | 44.8 | |
| Mid-Virginia Broadcasting Corp. BMLH-891222KE | | | | | | | |
| WRARFM | 288A | Tappahannock | VA | 58.4 | 80.00 | 72.0 | 8.00 |
| LI CN | 37 52 27 | 76 43 37 | 6.000 kW | 100M | 49.7 | 44.8 | |
| Rappahannock Communications, Inc. BLH-910812KA | | | | | | | |
| WRSF | 289C1 | Columbia | NC | 147.3 | 211.97 | 200.0 | 11.97 |
| LI CN | 35 53 18 | 76 13 50 | 100.000 kW | 187M | 131.7 | 124.3 | |
| Jones, Eastern of the Outer Banks BLH-840316AA | | | | | | | |
| WHFD | 288A | Lawrenceville | VA | 201.2 | 88.98 | 72.0 | 16.98 |
| LI CN | 36 45 10 | 77 51 49 | 6.000 kW | 47M | 55.3 | 44.8 | |
| William Carlton Link BLH-910925KA | | | | | | | |

CH 289A SPACING - WKIE-FM SITE

**EXHIBIT #8
PETITION FOR RULE MAKING
HOFFMAN COMM., INC.
SUBSTITUTE CHANNEL 289A
FOR CHANNEL 289A
CHESTER, VIRGINIA
October 1988**

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

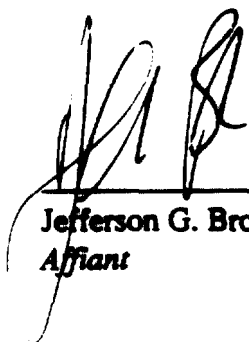
State of Georgia)
St. Simons Island) ss:
County of Glynn)

JEFFERSON G. BROCK, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Hoffman Communications, Inc., licensee of Radio Station WDYL, to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

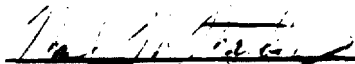
The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 21st day of November, 1995.



Jefferson G. Brock
Affiant

*Sworn to and subscribed before me
this the 21st day of November, 1995*



Notary Public, State of Georgia
My Commission Expires: September 12, 1999

RM-8731
Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
(Chester and Richmond, Virginia)
April 29, 1996

COMMENTS OF HOFFMAN COMMUNICATIONS, INC.

Exhibit 2

GRAHAM BROCK, INC.

BROADCAST TECHNICAL CONSULTANTS

TECHNICAL COMMENTS
MM DOCKET #96-29
HOFFMAN COMMUNICATIONS, INC.
WDYL RADIO STATION
CHESTER, VIRGINIA
April 1996

TECHNICAL EXHIBIT

Copyright 1996

TECHNICAL COMMENTS
MM DOCKET #96-29
HOFFMAN COMMUNICATIONS, INC.
WDYL RADIO STATION
CHESTER, VIRGINIA
April 1996

TECHNICAL STATEMENT

1. This Technical Statement was prepared on behalf of Hoffman Communications, Inc. ("Hoffman"), licensee of Radio Station WDYL, Channel 221A, Chester, Virginia. Hoffman also holds an outstanding construction permit to change the frequency of WDYL from Channel 221A to Channel 289A at Chester (BMPH-951025ID).¹ In MM Docket #96-29, Hoffman has requested the substitution of Channel 266A for Channel 289A at Chester and the substitution of Channel 289A for Channel 266A at Richmond, Virginia. This constitutes a frequency exchange between the two communities and a non-compatible channel swap since there are no other Class A frequencies which can be utilized at either Chester or Richmond.

2. At the time the Petition for Rule Making was filed, there were five applications on file for Channel 266A at Richmond, Virginia. In the interim the application of Barbara B. Bennis ("Bennis") was granted by the Commission. The Bennis application also specified the engineering contained in the James River Communications Company application at North Latitude 37° 30' 52" and West Longitude 77° 30' 28". The effective radiated power was 2.0 kilowatts with a height above average terrain of 123 meters (BMPH-9602271C).

1) WDYL is currently operating under Special Temporary Authority on Channel 289A at Chester, Virginia.